



U.S. Department
of Transportation
**Research and
Special Programs
Administration**

MAR 28 2003

400 Seventh St., S.W.
Washington, D.C. 20590

DOT-E 13217

EXPIRATION DATE: August 31, 2003

1. GRANTEE: Belshire Environmental Services, Inc.
Lake Forest, CA
2. PURPOSE AND LIMITATION:
 - a. This emergency exemption authorizes the transportation in commerce of gasoline in non-DOT specification packages known as gasoline dispensers. This exemption provides no relief from the Hazardous Materials Regulations (HMR) other than as specifically stated herein.
 - b. The safety analyses performed in development of this exemption only considered the hazards and risks associated with transportation in commerce.
3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.
4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR § 172.301(c) in that the requirement to mark the exemption number on the package is required, except as specified herein; and § 173.202 in that a non-DOT specification packaging is not authorized, except as specified herein.
5. BASIS: This emergency exemption is based on the application of Belshire Environmental Services, Inc., dated March 25, 2003, and supplemental information dated March 26, 2003, submitted in accordance with § 107.117 and a determination that it is necessary for public safety.

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6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Hazardous Materials Description			
Proper shipping name	Hazard Class/ Division	Identification Number	Packing Group
Gasoline	3	UN1203	II
Diesel fuel	3	NA1993	III

7. SAFETY CONTROL MEASURES:

a. PACKAGING - Packaging prescribed is a non-DOT specification, non-bulk packaging, known as a gasoline dispenser. The dispenser has been removed from service at gasoline marketing outlets.

b. OPERATIONAL CONTROLS:

(1) Prior to loading, each dispenser must be prepared for transportation by capping or plugging all product inlet and outlet piping, so that no fluid may be released during transportation.

(2) No dispenser may contain more than 2 gallons of gasoline.

(3) No more than 12 dispensers are permitted on any motor vehicle. Each dispenser must be blocked, braced or strapped to the motor vehicle to prevent movement during transportation.

8. SPECIAL PROVISIONS:

a. Only one-way transportation is authorized, directly from the loading location to an equipment repair facility. Intermediate stops are permitted only to pick up other dispensers or drums of waste materials.

b. The marking requirements of § 172.301(c) are waived.

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle.

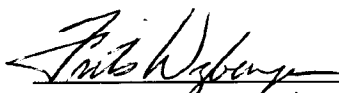
10. MODAL REQUIREMENTS: A current copy of this exemption must be carried aboard each motor vehicle used to transport packages covered by this exemption.
11. COMPLIANCE: Failure by a person to comply with any of the following may result in suspension or revocation of this exemption and penalties prescribed by the Federal hazardous materials transportation law, 49 U.S.C. 5101 et seq:
- o All terms and conditions prescribed in this exemption and the Hazardous Materials Regulations, 49 CFR Parts 171-180.
 - o Registration required by § 107.601 et seq., when applicable.

Each "Hazmat employee", as defined in § 171.8, who performs a function subject to this exemption must receive training on the requirements and conditions of this exemption in addition to the training required by §§ 172.700 through 172.704.

No person may use or apply this exemption, including display of its number, when this exemption has expired or is otherwise no longer in effect.

12. REPORTING REQUIREMENTS: The carrier is required to report any incident involving loss of packaging contents or packaging failure to the Associate Administrator for Hazardous Materials Safety (AAHMS) as soon as practicable. (Sections 171.15 and 171.16 apply to any activity undertaken under the authority of this exemption.) In addition, the holder(s) of this exemption must inform the AAHMS, in writing, of any incident involving the package and shipments made under the terms of this exemption.

Issued in Washington, D.C.:



Robert A. McGuire
Associate Administrator for
Hazardous Materials Safety

3/28/03

(DATE)

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Address all inquiries to: Associate Administrator for Hazardous Materials Safety, Research and Special Programs Administration, U.S. Department of Transportation, 400 Seventh Street, SW, Washington, D.C. 20590.
Attention: DHM-31.

Copies of this exemption may be obtained by accessing the Hazardous Materials Safety Homepage at <http://hazmat.dot.gov/exemptions> Photo reproductions and legible reductions of this exemption are permitted. Any alteration of this exemption is prohibited.

PO: PTolson